

Message Text

CONFIDENTIAL

PAGE 01 MADRID 07783 01 OF 02 121317Z

43

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C O N F I D E N T I A L SECTION 1 OF 2 MADRID 7783

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SUBJECT: POLITICAL ASSOCIATIONS: MODEST STEP
TOWARDS POLITICAL LIBERLIZATION IN SPAIN

REF MADRID 7568

SUMMARY: AGAINST BACKDROP OF NON-STARTERS IN 1969 AND 1970 WITH RESPECT TO POLITICAL ASSOCIATIONS, PREMIER ARIAS' LATEST PROPOSAL MAY REPRESENT SMALL STEP FORWARD TOWARDS EVENTUAL POLITICAL PLURALISM IN SPAIN. ARIAS HAS BEEN CREDITED WITH POLITICAL REALISM IN PROPOSAL WHICH, WHILE NOT SATISFYING SOME IMPORTANT POLITICAL GROUPINGS, RPRESENTS WHAT TRAFFIC (READ FRANCO) WILL BEAR AT MOMENT. PRESSURE GROUPS WITHIN NATIONAL MOVEMENT AND OTHER GROUPS IN CENTER AND RIGHT ARE DISPOSED TO COOPERATE WITH ARIAS AND ORGANIZE THEMSELVES UNDER UMBRELLA OF NATIONAL MOVEMENT. HOWEVER, A NUMBER OF OPVDSITION GROUPS IN THE LEFT AND CENTER-LEFT (COMMUNISTS SOCIALISTS, AND SOME CHRISTIAN DEMOCRATS) ARE NOT LIKELY TO COME FORWARD AND ORGANIZE THEMSELVES OPENLY UNDER STATUTE. CONSIDERABLE SEGMENT OF SPANISH POLITICAL SPECTRUM, THEREFORE, WILL BE LEFT OUT OF FORTHCOMING POLITICAL GAME, OR PARTICIPATE ONLY INDIRECTLY.

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PAGE 02 MADRID 07783 01 OF 02 121317Z

MEANWHILE, OPPORTUNITY HAS BEEN CREATED FOR ORDERLY INFIGHTING

AMONG VARIETY OF GROUPS WITH POLITICAL PLATFORMS AND AMBITIONS WHO ARE WILLING TO ABIDE BY ESTABLISHMENT GROUND RULES. ASSUMING THAT PRACTICAL PROBLEMS SURROUNDING ACTIVITY OF THESE POLITICAL ASSOCIATIONS CAN BE SATISFACTORILY RESOLVED, AND THAT NATIONAL MOVEMENT CONTROL IS NOT OVERLY RESTRICTIVE, NEW ROOM FOR POLITICAL ORGANIZATION AND ACTIVITIES COULD PAVE WAY FOR GROWING POLITICAL AWARENESS AND PARTICIPATION BY BROADER SEGMENTS OF SPANISH POPULATION, ACCUMULATION OF EXPERIENCE WITH NEW STATUTE, PROVIDED THAT IT IS NOT MADE MORE RESTRICTIVE BEFORE ENACTMENT AND THAT IT IS ADMINISTERED REASONABLY LIBERALLY, MIGHT, THEREFORE, END UP BY ENLARGING REAL SCOPE OF POLITICAL PARTICIPATION IN SPAIN IN MANNER THAT HAS ALREADY BEEN DEMONSTRATED BY INCREASINGLY LIBERAL INTERPRETATION AND APPLICATION OF PRESS LAW ADOPTED IN 1966. END

1. SPANISH MEDIA AND POLITICAL COMMENTATORS CONTINUE TO FOCUS ON DRAFT STATUTE OF ASSOCIATIONS ANNOUNCED DEC 2 BY PREMIER ARIAS NAVARRO (REFTEL). IN GENERAL, MEDIA, INCLUDING INDEPENDENT PRESS, GIVE ARIAS HIGH POINTS FOR POLITICAL REALISM IN PROPOSING STATUTE WHICH, "CORRESPONDS TO SPANISH REALITY OF OUR DAYS". EVEN "TACITO" (PSEUDONYM USED BY PRESTIGIOUS GROUP IN PUBLISHING WEEKLY EDITORIAL IN "YA"), WHILE SAYING STATUTE FALLS SHORT OF BEING ACCEPTABLE UNLESS IT IS MODIFIED, HAS CREDITED ARIAS FOR GENERATING CONFIDENCE AND POLITICAL SERENITY IN SPANISH PEOPLE BY HIS "HONESTY AND REALISM". MOREOVER, "TACITO" HAS CREDITED ARIAS FOR MOVING AHEAD WHERE EARLIER MINISTERS OR NATIONAL MOVEMENT HAD FAILED IN 1969 AND 1970. MOST EDITORIALS AND COMMENTATORS SAY THAT STATUTE REPRESENTS A STEP FORWARD, HOWEVER MODEST, IN PATH IN WHICH MOST SPANIARDS WANT TO FOLLOW. CRITICISM OF STATUTE HAS FOCUSED PRIMARILY ON FACT THAT IT DOES NOT GO FAR ENOUGH OR THAT IT GIVES TOO MUCH WEIGHT TO NATIONAL COUNCIL OF MOVEMENT IN ITS SUPERVISION AND IMPLEMENTATION. OTHERS POINT OUT THAT REGULATIONS TO IMPLEMENT STATUTE WILL BE MOST IMPORTANT, PARTICULARLY DETAILS ON HOW THOSE WHO WANT TO ORGANIZE POLITICAL ASSOCIATIONS WILL BE TREATED ADMINISTRATIVELY.

2. "LA VANGUARDIA" (INDEPENDENT) CONDUCTED POLL THROUGHOUT SPAIN DEC 5 WITH FOLLOWING RESULTS: ONLY 17 PERCENT HAD EITHER READ SUMMARY OF DRAFT STATUTE OR IN ITS ENTIRETY WHEREAS 44 O/O HAD READ NOTHING ABOUT IT; ONLY 8 O/O FOUND DETAILS OF STATUTE OR PUBLIC EXPLANATION UNDERSTANDABLE; AND 22 O/O SAID THAT THEY CONFIDENTIAL

CONFIDENTIAL

PAGE 03 MADRID 07783 01 OF 02 121317Z

WOULD JOIN A POLITICAL ASSOCIATION IN FUTURE AS AGAINST 43 O/O WHO REPLIED THAT THEY WOULD NOT. (REMAINING PERCENTAGES IN ABOVE POLL MADE UP OF PEOPLE WHO HAD NO VIEW OR WOULD NOT BE POLLED.)

3. POLITICIANS WITHIN POLITICAL ESTABLISHMENT HAVE GENERALLY COME OUT IN AT LEAST QUALIFIED SUPPORT OF STATUTE. THIS INCLUDES MEN SUCH AS CANTARERO DEL CASTILLO, WHO IS HEAD OF SIGNIFICANT GROUP WITHIN MOVEMENT WHICH IS ANXIOUS FOR POLITICAL TRANSFORMATION

ALONG SOCIAL DEMOCRATIC LINES. TO CANTARERO AND OTHERS, STATUTE IS AN INDISPENSABLE FOOT IN THE DOOR WHICH SHOULD BE EXPLOITED TO GRADUALLY ENLARGE SCOPE OF POLITICAL ACTIVITY AND OPPORTUNITY SHOULD NOT BE LOST. CANTARERO TOLD EMBOFFS THAT MUCH WOULD DEPEND UPON WHO ADMINISTERS IMPLEMENTING REGULATIONS AND HOW THIS IS DONE. LEADING CORTES DEPUTY AND VICE PRESIDENT OF POTENTIAL POLITICAL ASSOCIATION (ANEPA), SERRATS URQUIZA, TOLD CHARGE THAT, DESPITE SOME DRAWBACKS, STATUTE WAS BREAKTHROUGH IN LOGJAM OF ISSUE OF ASSOCIATIONS AND SHOULD BE EXPLOITED FULLY AS MEANS OF GIVING INDIVIDUAL DEPUTIES IN FAMILY SECTOR POLITICAL BACKING AND INTRODUCING POLITICAL PLURALISM IN PARLIAMENT AND IN PUBLIC DISCUSSION OF CONCRETE ISSUES. IN WELL-TIMED PUBLIC APPEARANCE IN BARCELONA DEC 7-9, FORMER MINISTER OF INFORMATION AND TOURISM AND CURRENT GOS AMBASSADOR TO UK, FRAGA IRIBARNE, ANOTHER POTENTIAL LEADER OF AN ASSOCIATION, TOLD PRESS THAT "IT WAS NECESSARY TO EXPLOIT ANY OPENING WHATSOEVER, EVEN IF POLITICAL PARTIES WERE EXCLUDED FROM POLITICAL SYSTEM". FRAGA, WHO WAS PRIME MOVER BEHIND ADOPTION OF PRESS LAW IN 1966 ALLUDED TO LINKAGE BETWEEN LATTER AND STATUTE ON ASSOCIATIONS AS KEY TO SPAIN'S GRADUAL LIBERALIZATION. OTHER POLITICIANS AND COMMENTATORS HAVE ALSO NOTED INCREASED SCOPE OF PRESS FREEDOM WHICH HAS EMERGED IN RECENT YEARS THANKS TO LIBERAL INTERPRETATION OF PRESS LAW.

4. OPPOSITION IN LEFT OR CENTER-LEFT GROUPINGS (COMMUNISTS, SOCIALISTS, SOCIAL DEMOCRATS, AND CHRISTIAN DEMOCRATS) HAVE ALL ADOPTED VARYING DEGREES OF HOSTILITY TOWARDS GOVT'S DRAFT LAW. POPULAR SOCIALIST PARTY LEADER TIerno GALVAN HAS SAID PUBLICLY THAT RIGHT WING HAS WATERED DOWN INITIAL DRAFT STATUTE TO POINT WHERE IT HAS BECOME MEANINGLESS. SPANISH COMMUNISTS, THOUGH "RADIO INDEPENDENT SPAIN", HAVE ALSO ATTACKED LAW AS CONFIRMING "THE WORST FEARS". COMMUNISTS ALSO SAY THAT IT CONFIRMS CORRECTNESS OF POSITION TAKEN BY "DEMOCRATIC JUNTA" THAT "LIBERTY WILL NOT BE GIVEN TO SPANISH PEOPLE AS A GIFT BUT WILL HAVE TO BE WON BY

CONFIDENTIAL

PAGE 04 MADRID 07783 01 OF 02 121317Z

THEM". LATTER THEME IS ONE THAT HAS ALSO BEEN MENTIONED BY SOME OPPOSITION POLITICIANS IN COMMENT TO EMBOFFS, SAYING THAT THERE WAS NO PRECEDENT IN HISTORY FOR A DICTATORSHIP LEADING TO A STEP-BY-STEP DEMOCRATIZATION. CHRISTIAN DEMOCRATS (RUIZ GIMENEZ) HAVE ALSO INDICATED THAT THEY COULD NOT SUPPORT PRESENT STATUTE. HOWEVER, THERE ARE 4 DIFFERENT GROUPINGS OF CHRISTIAN DEMOCRATS, AND IT IS POSSIBLE THAT ONE OR MORE MIGHT FIND IT FEASIBLE TO COLLABORATE WITH OTHER POLITICAL GROUPINGS IN SOME SORT OF POLITICAL ASSOCIATION OR AT LEAST PASSIVELY SUPPORT IDEOLOGICALLY CONGENIAL ASSOCIATION. AT LEAST ONE CHRISTIAN DEMOCRATIC REP HAD SOME GOOD WORDS FOR STATUTE AND INDICATED HE WOULD NOT CLOSE DOOR ENTIRELY TO THIS POSSIBILITY.

CONFIDENTIAL

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PAGE 01 MADRID 07783 02 OF 02 121413Z

43

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C O N F I D E N T I A L SECTION 2 OF 2 MADRID 7783

5. AMONG SIZEABLE FLOATING SECTOR OF "APERTURISTAS" ON FRINGE OF REGIME, MOST FREQUENTLY NOTED FEELING IS THAT PROPOSAL IS SOMEWHAT MORE TIMID THAN EXPECTED, THOUGH THERE IS SOME AGREEABLE SURPRISE THAT FRANCO HAD ALLOWED PROVISIONS FOR ELECTORAL PARTICIPATION TO STAND. EVEN CRITICS OF PROPOSAL'S LACK OF BOLDNESS HAVE NOTED THAT (A) ASSOCIATIONS WILL AT LEAST SERVE AS TRAINING GROUND FOR SPANIARDS FOR FUTURE CIVIC PARTICIPATION, AND (B) THAT LEGALIZATION OF ASSOCIATIONS WILL OPEN DOOR FOR PUBLIC DEBATE OF MUFFLED ISSUES WHICH GOVT WILL FIND DIFFICULT TO CLOSE, EVEN PROVIDING INDIRECT FORUM AT LEAST FOR IDEAS OF OPPOSITIONISTS WHO WILL NOT PARTICIPATE THEMSELVES. CONSIDERABLE CONCERN REMAINS, HOWEVER, THAT IN FINAL REVIEW BEFORE SIGNING FRANCO MAY SEE FIT TO KILL, AS HE DID IN 1969, OR FURTHER EMASCULATE EVEN THIS MILD PROJECT.

6. DRAFT STATUTE IS NOW BEING STUDIED BY PERMANENT COMMISSION AND MEMBERS OF NATIONAL COUNCIL WHICH WILL HOLD A PLENUM DEC 16. SOME CONSERVATIVE COUNCILORS PROBABLY WILL SEEK TO WATER DOWN FURTHER PRESENT STATUTE, ALLEGING THAT IT MAY BE STEP TOWARDS POLITICAL PARTIES OR THAT IT DEROGATES FROM LEADERSHIP POSITION OF MOVEMENT. RIGHT WING POLITICAL COMMENTATORS HAVE ALREADY RECALLED FRANCO'S WORDS SEVERAL YEARS AGO THAT HE WOULD

CONFIDENTIAL

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PAGE 02 MADRID 07783 02 OF 02 121413Z

NEVER TAKE AN ACTION WHICH COULD LEAD TO FORMATION OF POLITICAL PARTIES. OTHER COUNCILORS ARE EXPECTED TO DEFEND PRESENT STATUTE AS REPRESENTING A REALISTIC FIRST STEP TOWARDS A LOOSENING OF POLITICAL SYSTEM, BUT MAY SEEK SOME MODIFICATIONS. FOR EXAMPLE, ONE COUNCILOR HAS TOLD EMBASSY THAT 25,000 MINIMUM MEMBERSHIP REQUIREMENT IN AT LEAST 15 PROVINCES IS IMPRACTICABLE WHEN TAKEN TOGETHER WITH STATUTE'S OTHER MINIMUM REQUIREMENT OF AT LEAST 3-5 PERCENT MEMBERSHIP WITHIN EACH PROVINCE DEPENDING ON PROVINCES'S POPULATION. SIMPLE CALCULATION HAS REVEALED THAT ANY ASSOCIATION WOULD REQUIRE 25,000 MEMBERS IF IT WANTED TO BE REPRESENTED IN MADRID AND BARCELONA AND ADDITIONALLY ANOTHER MINIMUM OF 25,000 TO BE REPRESENTED IN 13 OTHER PROVINCES.

7. INASMUCH AS DRAFT STATUTE HAD BEEN PREVIOUSLY CLEARED IN PERMANENT COMMITTEE OF COUNCIL AND REPORTEDLY AT PARDO BY FRANCO HIMSELF, IT IS UNLIKELY THAT THERE WILL BE PROLONGED DEBATE. A LARGE NUMBER OF COUNCILORS, IT SHOULD BE NOTED, WERE DIRECTLY APPOINTED BY FRANCO AND REMAINDER MOVED UP IN NATIONAL MOVEMENT BY INDIRECT ELECTION PROCEDURES. MANY WILL BE PLEASED WITH NEW IMPORTANCE TO ACCRUE TO NORMALLY SOMNOLENT COUNCIL TO DISCUSS KEY ISSUE AND MAY WELL USE OCCASION TO ENHANCE POLITICAL STANDING OF COUNCIL BY ACTING AS IF THEY REPRESENTED AN UPPER CHAMBER. UNTIL NATIONAL COUNCIL HAS TAKEN STAND ON NEW DRAFT STATUTE INITIAL REACTIONS OF LEADERS OF VARIOUS POLITICAL GROUPINGS SHOULD BE CONSIDERED AS TENTATIVE, BECAUSE THEY MAY HAVE MADE THEM FOR TACTICAL REASONS ONLY. INDEED, SOME HOSTILE COMMENTS MAY BE DESIGNED TO BRING PRESSURE TO BEAR ON COUNCIL'S DELIBERATIONS IN HOPE TO LIBERALIZE, OR AT LEAST MAINTAIN, ORIGINAL TEXT. ONCE COUNCIL HAS APPROVED STATUTE GOS IS EXPECTED TO PROMULGATE IT AS DECREE LAW RATHER THAN AS ORDINARY LAW ADOPTED BY CORTES. SOME POLITICIANS AND DEPUTIES OBJECT TO BY-PASSING OF CORTES -- AN INSTITUTION WHICH, IN MIND OF LIBERAL THINKERS, SHOULD PLAY KEY ROLE IN FUTURE -- BUT ARE PREPARED TO ACQUIESCE QUIETLY FOR SAKE OF MAKING SOME PROGRESS ON BASIC ISSUE OF ASSOCIATIONS.

8. COMMENT: DRAFT STATUTE GIVES JURIDICAL AND EXECUTIVE POWERS TO MOVEMENTS'S NATIONAL COUNCIL WHICH IT DOES NOT HAVE UNDER EXISTING FUNDAMENTAL LAWS. SOME COMMENTATORS, INCLUDING "TACITO", HAVE ALREADY POINTED OUT ANOMALLY OF THIS PROCEDURE AND SUGGESTED THAT IT MIGHT LEAD TO CONSTITUTIONAL DISPUTE. SECONDLY, STATUTE WOULD PROVIDE JURIDICAL BASIS FOR STRENGTHENING EXISTING ADMIN-
CONFIDENTIAL

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PAGE 03 MADRID 07783 02 OF 02 121413Z

ISTRATIVE MACHINERY IN MOVEMENT ITSELF SO THAT IT COULD BECOME AN OVERBEARING POLITICAL FRAMEWORK WHICH WOULD INHIBIT ACTIVITY OF POLITICAL ASSOCIATIONS. EMILIO ROMERO, EDITOR OF "PUEBLO" (JOURNAL OF NATIONAL SYNDICATES AND "EMINENCE GRISE" OF PRESENT

REGIME) TOLD MEMBERS OF PRESTIGIOUS "CLUB SIGLO XXI" DEC 2 THAT NATIONAL COUNCIL SHOULD BE "AN ACTIVE POLITICAL BODY". IN HIS VIEW POLITICAL OBJECTIVE AT THE MOMENT WAS TO SEEK WAYS OF INTEGRATING EVERYONE WITHIN SYSTEM RATHER THAN SEEKING WAYS TO MODIFY SYSTEM. ROMERO'S VIEWPOINT WOULD SEEM TO BE A FAITHFUL REFLECTION OF WHAT IS INTENDED BY PRESENT LAW. FOR ROMERO AND OTHERS REPRESENTING RIGHT WING OF EXISTING ESTABLISHMENT THE MOVEMENT SHOULD BE STRENGTHENED AS A MEANS OF PROVIDING CUSHION FOR CHANGES WHICH ARE EXPECTED FOLLOWING FRANCO'S DEMISE.

9. THEIR VIEWS ARE DIRECTLY OPPOSED BY OTHERS SUCH AS CANTARERO, WHO BELIEVE THAT MOVEMENT SHOULD NOT BE PRINCIPAL BENEFICIARY OF STATUTE OF ASSOCIATIONS BUT MERELY PROVIDE BACKGROUND SCENERY WITH STAGE TO BE OCCUPIED BY COMPETING POLITICAL GROUPS WITH IDEOLOGICAL PROGRAMS CONSISTENT WITH FUNDAMENTAL LAWS. IF PRACTICAL FEATURES OF IMPLEMENTATION OF NEW STATUE DO NOT UNDULY HINDER OR INTIMIDATE RESPONSIBLE, MODERATE POLITICIANS AND PUBLIC FROM POLITICAL PARTICIPATION, AND WIDESPREAD PUBLIC DESIRE FOR OPENING POLITICAL SYSTEM MAKES ITSELF EFFECTIVELY FELT, THERE IS POSSIBILITY THAT THERE WILL BE GENUINE POLITICAL COMPETITION BETWEEN SOME NEW ASSOCIATIONS OR PRESSURE GROUPS OF THE RIGHT AND CENTER TO OBTAIN POWER. SEPARATE ASSOCIATIONS HEADED BY GIRON ON THE RIGHT, FRAGA IN THE CENTER, CANTARERO AND PERHAPS SILVA IN THE CENTER-LEFT, AND PERHAPS "ANEPA" IN THE CENTER-RIGHT ARE BEING TALKED ABOUT.

10. OTHER POLITICAL ELEMENTS PRESENTLY SEEM INTENT ON EXCLUDING THEMSELVES FROM PLAYING THE GAME ACCORDING TO THE NEW GOVT RULES. THEY PROBABLY COUNT ON BEING ABLE TO CONTINUE THEIR ACTIVITIES WITHOUT TOO MUCH GOVT INTERFERENCE, EXCEPT IN CASE OF COMMUNISTS AND OTHER EXTREMES, AND ON CAPITALIZING AFTER FRANCO'S DEATH ON HAVING STAYED CLEAR OF THE REGIME. BUT MEANWHILE THEY COULD LOSE GROUND VIS-VIS ASSOCIATIONS WHICH WILL CROP UP IN CENTER AND RIGHT AND BE IN A POSITION TO EXTEND THEIR INFLUENCE AND POLITICAL POWER. "APERTURISTS" WITHIN GOVT HOPE THAT WITH TIME ELEMENTS IN MODERATE LEFT AMONG SOME SOCIALISTS AND CHRISTIAN DEMOCRATS WILL GRAVITATE TO OTHER ASSOCIATIONS WHICH WILL COME INTO BEING. TEMPTATION TO PARTICIPATE, EVEN ON LIMITED BASIS, MIGHT PROVE STRONG ENOUGH TO

CONFIDENTIAL

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PAGE 04 MADRID 07783 02 OF 02 121413Z

ENTICE SOME OF THESE ELEMENTS AWAY FROM INTRANSIGENT POSITIONS WHICH CONDEMN THEM TO ISOLATION AND FRUSTRATION. AT THIS POINT, GOVT HAS ADVANTAGE, FOLLOWING ARIAS' SPEECH, OF MAINTAINING INITIATIVE AND BENEFITING FROM FAVORABLE IMAGE CREATED BY ARIAS' APPEARANCE. MOREOVER, SPANISH PUBLIC, IN ABSENCE OF ANY MAJOR CRISIS, PROBABLY IS NOT GENERALLY PRONE, AT PRESENT AT LEAST, TO DEMAND MAXIMUM SOLUTIONS TO PROBLEMS OF POLITICAL PARTICIPATION TO WHICH IT IS NOT ACCUSTOMED. ARMED FORCES LEADERSHIP ALSO DOES NOT NOW SEEM FAVORABLE TO MORE RADICAL CHANGE BUT RATHER TO GRADUAL CHANGES AS EPITOMIZED IN PREMIER'S PROPOSAL. THUS THERE WOULD SEEM TO BE SOME TIME TO TEST CURRENT ASSOCIATIONS PROPOSAL IN PRACTICE. TWO

DEVELOPMENTS THAT COULD FORESHORTEN THIS TIME WOULD BE FRANCO'S DEATH OR MAJOR ECONOMIC PROBLEMS.

11. EMBASSY HAS NOTED THAT FOREIGN PRESS AND SOME WESTERN DIPLOMATS WITH NOTABLE EXCEPTION OF GERMANS, HAVE ADOPTED HIGHLY CRITICAL POSTURE TOWARDS DRAFT STATUTE SAYING THAT IT DOES NOT GO NEARLY FAR ENOUGH, WILL PROBABLY ACCOMPLISH LITTLE OR NOTHING, AND CERTAINLY WILL NOT RESOLVE LONG-TERM POLITICAL ISSUES FOLLOWING FRANCO'S DEMISE. THIS VIEW, WHILE THEORETICALLY JUSTIFIED FROM STANDPOINT OF DEGREE OF CONTROL GIVEN TO THE MOVEMENT AND OF OPTIMUM LEVEL OF DEMOCRATIC DEVELOPMENT, ASSUMES THAT SPAIN MIGHT PEACEFULLY MAKE A QUANTUM JUMP TO SUCH A LEVEL, OVERLOOKING CHAOTIC RESULTS WHICH ALL OR NOTHING APPROACH HAS HAD THROUGHOUT SPANISH HISTORY. MOREOVER, IT MAY NOT TAKE INTO SUFFICIENT ACCOUNT THE POSITION OF THOSE POLITICAL GROUPS AND LEADERS THAT AT LEAST WANT TO GIVE THE PROPOSED NEW LAW A TRY, OR ARE WILLING TO ACCEPT IT AS A BRIDGE TO PRESUMED GREATER LIBERALIZATION LATER, AND THE WEIGHT OF PUBLIC OPINION IN SPAIN THAT COULD BE EFFECTIVE FORCE TOWARD REASONABLY LIBERAL IMPLEMENTATION OF THE STATUTE. IN FINAL ANALYSIS, MANNER OF IMPLEMENTATION WILL DETERMINE HOW SIGNIFICANT A LIBERALIZATION MOVE THE STATUTE IS, PRESUMING IT REMAINS BASICALLY AS IT NOW IS WHEN ENACTED.
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